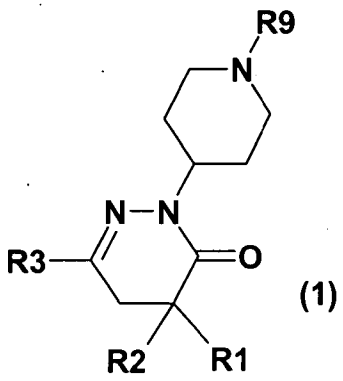
APPROVED: /C.J./

09/13/2008

Appendix A

Claim Amendments

1. (Previously presented) A compound of formula 1



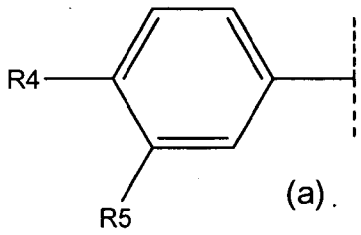
(1)

in which

R1 is 1-4C-alkyl and

R2 is 1-4C-alkyl,

R3 represents a phenyl derivative of formulae (a)



(a).

wherein

R4 is 1-4C-alkoxy or 1-4C-alkoxy which is completely or predominantly substituted by fluorine,

R5 is 1-8C-alkoxy, 3-7C-cycloalkoxy, 3-7C-cycloalkylmethoxy, or 1-4C-alkoxy which is completely or predominantly substituted by fluorine,

R9 is -C(O)R10, $-S(O)_2$-R14, $-(CH_2)_n$-C(O)-R18 or -C(O)-$(CH_2)_m$-R21,

R10 is 1-4C-alkyl, -N(R11)R12, phenyl or phenyl substituted by R13,

R11 is hydrogen, 1-4C-alkyl, 3-7C-cycloalkyl or 3-7C-cycloalkylmethyl,

R12 is hydrogen, 1-4C-alkyl, 3-7C-cycloalkyl or 3-7C-cycloalkylmethyl,

or R11 and R12 together and with inclusion of the nitrogen atom to which they are bonded, form a 1-pyrrolidinyl-, 1-piperidinyl-, 1-piperazinyl, 1-(1-4C-alkyl)-piperazin-4-yl-, 1-hexahydroazepinyl-, 4-morpholinyl, 4-thiomorpholinyl-, thiomorpholin-1-oxide-4-yl- or thiomorpholin-1,1-dioxide-4-yl-ring,

R13 is hydroxyl, halogen, nitro, cyano, hydroxycarbonyl, 1-4C-alkyl, trifluoromethyl, 1-4C-alkoxy, 1-4C-alkoxy which is completely or predominantly substituted by fluorine, 1-4C-alkoxycarbonyl, amino, mono- or di-1-4C-alkylamino, aminocarbonyl, mono- or di-1-4C-

alkylaminocarbonyl, 1-4C-alkylcarbonyl, 1-4C-alkylcarbonylamino or 1-4C-alkylcarbonyloxy,

R14 is 1-4C-alkyl, -N(R15)R16, phenyl or phenyl substituted by R17,

R15 is hydrogen, 1-4C-alkyl, 3-7C-cycloalkyl or 3-7C-cycloalkylmethyl,

R16 is hydrogen, 1-4C-alkyl, 3-7C-cycloalkyl or 3-7C-cycloalkylmethyl,

or R15 and R16 together and with inclusion of the nitrogen atom to which they are bonded, form a 1-pyrrolidinyl-, 1-piperidinyl-, 1-piperazinyl, 1-(1-4C-alkyl)-piperazin-4-yl-, 1-hexahydroazepinyl-, 4-morpholinyl, 4-thiomorpholinyl-, thiomorpholin-1-oxide-4-yl- or thiomorpholin-1,1-dioxide-4-yl-ring,

R17 is hydroxyl, halogen, nitro, cyano, carboxyl, 1-4C-alkyl, trifluoromethyl, 1-4C-alkoxy, 1-4C-alkoxy which is completely or predominantly substituted by fluorine, 1-4C-alkoxycarbonyl, amino, mono- or di-1-4C-alkylamino, aminocarbonyl, mono- or di-1-4C-alkylaminocarbonyl, 1-4C-alkylcarbonyl, 1-4C-alkylcarbonylamino or 1-4C-alkylcarbonyloxy,

R18 is -N(R19)R20,

R19 is hydrogen, 1-4C-alkyl, 3-7C-cycloalkyl or 3-7C-cycloalkylmethyl,

R20 is hydrogen, 1-4C-alkyl, 3-7C-cycloalkyl or 3-7C-cycloalkylmethyl,

or R19 and R20 together and with inclusion of the nitrogen atom to which they are bonded, form a 1-pyrrolidinyl-, 1-piperidinyl-, 1-piperazinyl, 1-(1-4C-alkyl)-piperazin-4-yl-, 1-hexahydroazepinyl-, 4-morpholinyl, 4-thiomorpholinyl-, thiomorpholin-1-oxide-4-yl- or thiomorpholin-1,1-dioxide-4-yl-ring,

R21 is -N(R22)R23,

R22 is hydrogen, 1-4C-alkyl, 3-7C-cycloalkyl or 3-7C-cycloalkylmethyl,

R23 is hydrogen, 1-4C-alkyl, 3-7C-cycloalkyl or 3-7C-cycloalkylmethyl,

or R22 and R23 together and with inclusion of the nitrogen atom to which they are bonded, form a 1-pyrrolidinyl-, 1-piperidinyl-, 1-piperazinyl, 1-(1-4C-alkyl)-piperazin-4-yl-, 1-hexahydroazepinyl-, 4-morpholinyl, 4-thiomorpholinyl-, thiomorpholin-1-oxide-4-yl-, thiomorpholin-1,1-dioxide-4-yl-, pyrrolidin-2,5-dione-1-yl-, morpholin-3,5-dione-4-yl-, piperidin-2,6-dione-1-yl, 4,4-dimethyl-piperidin-2,6-dione-1-yl or a 1-methyl-

imidazolidine-2,4-dione-3-yl-ring or a isoindol-1,3-dione-2-yl-ring-system,

n is an integer from 1 to 4,

m is an integer from 1 to 4,

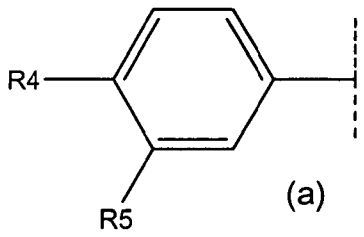
or a salt thereof.

2. (Previously presented) A compound of formula 1 according to claim 1, in which

R1 is 1-4C-alkyl,

R2 is 1-4C-alkyl,

R3 represents a phenyl derivative of formulae (a)



(a)

wherein

R4 is 1-2C-alkoxy or 1-2C-alkoxy which is completely or predominantly substituted by fluorine,

R5 is 1-2C-alkoxy or 1-2C-alkoxy which is completely or predominantly substituted by fluorine,

R9 is $-C(O)-R10$, $-S(O)_2-R14$, $-(CH_2)_n-C(O)-R18$ or $-C(O)-(CH_2)_m-R21$,

R10 is phenyl or phenyl substituted by R13,

R13 is 1-4C-alkyl or 1-4C-alkoxy,

R14 is -N(R15)R16, phenyl or phenyl substituted by R17,

R15 is hydrogen or 1-4C-alkyl,

R16 is hydrogen or 1-4C-alkyl,

R17 is halogen, nitro, cyano, 1-4C-alkyl, 1-4C-alkoxy or 1-4C-alkoxy which is completely or predominantly substituted by fluorine,

R18 is -N(R19)R20,

R19 is hydrogen or 1-4C-alkyl,

R20 is hydrogen or 1-4C-alkyl,

or R19 and R20 together and with inclusion of the nitrogen atom to which they are bonded, form a 1-pyrrolidinyl-, 1-piperidinyl-, 1-piperazinyl, 1-(1-4C-alkyl)-piperazin-4-yl-, 1-hexahydroazepinyl-, 4-morpholinyl or 4-thiomorpholinyl-ring,

R21 is -N(R22)R23,

R22 is hydrogen or 1-4C-alkyl,

R23 is hydrogen or 1-4C-alkyl,

or R22 and R23 together and with inclusion of the nitrogen atom to which they are bonded, form a 1-pyrrolidinyl-,

1-piperidinyl-, 1-piperazinyl, 1-(1-4C-alkyl)-piperazin-4-yl-, 1-hexahydroazepinyl-, 4-morpholinyl, 4-thiomorpholinyl-, pyrrolidin-2,5-dione-1-yl-, morpholin-3,5-dione-4-yl-, piperidin-2,6-dione-1-yl, 4,4-dimethyl-piperidin-2,6-dione-1-yl or a 1-methyl-imidazolidine-2,4-dione-3-yl-ring or a isoindol-1,3-dione-2-yl-ring-system,

n is an integer from 1 to 4,

m is an integer from 1 to 4,

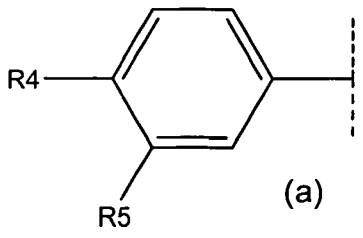
or a salt thereof.

3. (Previously presented) A compound of formula 1 according to claim 1, in which

R1 is methyl or ethyl,

R2 is methyl or ethyl,

R3 represents a phenyl derivative of formulae (a)



wherein

R4 is methoxy, ethoxy or difluoromethoxy,

R5 is methoxy, ethoxy or difluoromethoxy,

R9 is -C(O)-R10,

R10 is phenyl or phenyl substituted by R13,

R13 is 1-4C-alkyl or 1-4C-alkoxy,

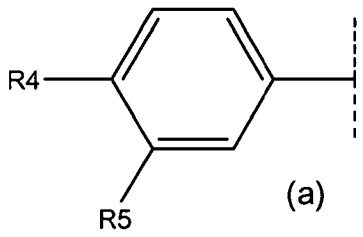
or a salt thereof.

4. (Previously presented) A compound of formula 1 according to claim 1, in which

R1 is methyl or ethyl,

R2 is methyl or ethyl,

R3 represents a phenyl derivative of formulae (a)



(a)

wherein

R4 is methoxy, ethoxy or difluoromethoxy,

R5 is methoxy, ethoxy or difluoromethoxy,

R9 is $-S(O)_2-R14$,

R14 is -N(R15)R16, phenyl or phenyl substituted by R17,

R15 is hydrogen or 1-4C-alkyl,

R16 is hydrogen or 1-4C-alkyl,

R17 is halogen, nitro, cyano, 1-4C-alkyl, 1-4C-alkoxy or 1-4C-alkoxy which is completely or predominantly substituted by fluorine,

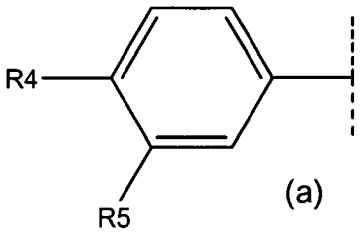
or a salt thereof.

5. (Previously presented) A compound of formula 1 according to claim 1, in which

R1 is methyl or ethyl,

R2 is methyl or ethyl,

R3 represents a phenyl derivative of formulae (a)



(a)

wherein

R4 is methoxy, ethoxy or difluoromethoxy,

R5 is methoxy, ethoxy or difluoromethoxy,

R9 is $-(CH_2)_n-C(O)-R18$,

R18 is -N(R19)R20,

R19 is hydrogen or 1-4C-alkyl,

R20 is hydrogen or 1-4C-alkyl,

or R19 and R20 together and with inclusion of the nitrogen atom to which they are bonded, form a 1-pyrrolidinyl-, 1-piperidinyl-, 1-piperazinyl, 1-(1-4C-alkyl)-piperazin-4-yl-, 1-hexahydroazepinyl-, 4-morpholinyl or 4-thiomorpholinyl-ring,

n is 1 or 2,

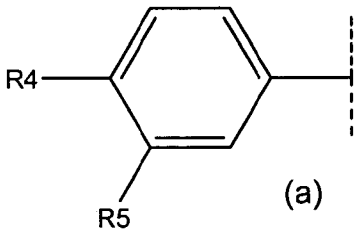
or a salt thereof.

6. (Previously presented) A compound of formula 1 according to claim 1, in which

R1 is methyl or ethyl,

R2 is methyl or ethyl,

R3 represents a phenyl derivative of formulae (a)



wherein

R4 is methoxy, ethoxy or difluoromethoxy,

R5 is methoxy, ethoxy or difluoromethoxy,

R9 is $-C(O)-(CH_2)_m-R21$,

R21 is -N(R22)R23,

R22 is hydrogen or 1-4C-alkyl,

R23 is hydrogen or 1-4C-alkyl,

or R22 and R23 together and with inclusion of the nitrogen atom to which they are bonded, form a 1-pyrrolidinyl-, 1-piperidinyl-, 1-piperazinyl, 1-methyl-piperazin-4-yl-, 1-hexahydroazepinyl-, 4-morpholinyl, 4-thiomorpholinyl-, pyrrolidin-2,5-dione-1-yl-, morpholin-3,5-dione-4-yl-, piperidin-2,6-dione-1-yl, 4,4-dimethyl-piperidin-2,6-dione-1-yl or a 1-methyl-imidazolidine-2,4-dione-3-yl-ring or a isoindol-1,3-dione-2-yl-ring-system,

m is 1,

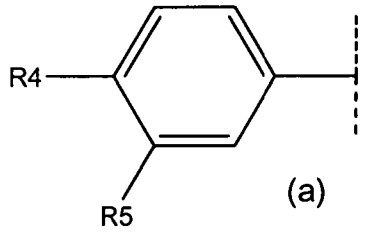
or a salt thereof.

7. (Previously presented) A compound of formula 1 according to claim 1, in which

R1 is methyl or ethyl,

R2 is methyl or ethyl,

R3 represents a phenyl derivative of formulae (a)



wherein

R4 is methoxy or ethoxy,

R5 is methoxy or ethoxy,

R9 is -C(O)-R10,

R10 is phenyl or phenyl substituted by R13,

R13 is methoxy,

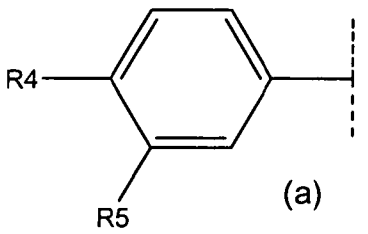
or a salt thereof.

8. (Previously presented) A compound of formula 1 according to claim 1, in which

R1 is methyl or ethyl,

R2 is methyl or ethyl,

R3 represents a phenyl derivative of formulae (a)



wherein

R4 is methoxy or ethoxy,

R5 is methoxy or ethoxy,

R9 is $-S(O)_2-R14$,

R14 is -N(R15)R16, phenyl or phenyl substituted by R17,

R15 is methyl,

R16 is methyl,

R17 is cyano, methyl, methoxy or trifluoromethoxy,

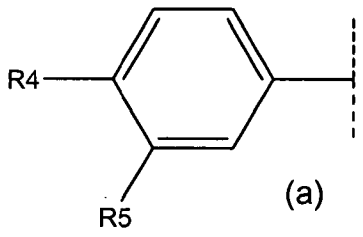
or a salt thereof.

9. (Previously presented) A compound of formula 1 according to claim 1, in which

R1 is methyl or ethyl,

R2 is methyl or ethyl,

R3 represents a phenyl derivative of formulae (a)



(a)

wherein

R4 is methoxy or ethoxy,

R5 is methoxy or ethoxy,

R9 is $-(CH_2)_n-C(O)-R18$,

R18 is -N(R19)R20,

R19 is hydrogen,

R20 is hydrogen,

or R19 and R20 together and with inclusion of the nitrogen atom to which they are bonded, form a 4-morpholinyl-ring,

n is 1 or 2,

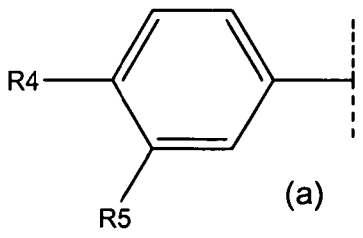
or a salt thereof.

10. (Previously presented) A compound of formula 1 according to claim 1, in which

R1 is methyl or ethyl,

R2 is methyl or ethyl,

R3 represents a phenyl derivative of formulae (a)



(a)

wherein

R4 is methoxy or ethoxy,

R5 is methoxy or ethoxy,

R9 is $-C(O)-(CH_2)_m-R21$,

R21 is $-N(R22)R23$,

or R22 and R23 together and with inclusion of the nitrogen atom to which they are bonded, form a 1-methyl-piperazin-4-yl-, pyrrolidin-2,5-dione-1-yl- or a morpholin-3,5-dione-4-yl-ring or a isoindol-1,3-dione-2-yl-ring-system,

m is 1,

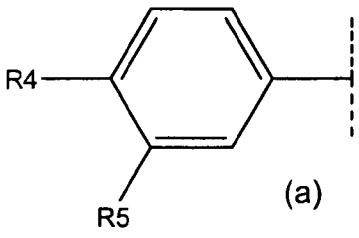
or a salt thereof.

11. (Previously presented) A compound of formula 1 according to claim 1, in which

R1 is 1-4C-alkyl and

R2 is 1-4C-alkyl,

R3 represents a phenyl derivative of formulae (a)



(a)

wherein

R4 is 1-4C-alkoxy or 1-4C-alkoxy which is completely or predominantly substituted by fluorine,

R5 is 1-8C-alkoxy, 3-7C-cycloalkoxy, 3-7C-cycloalkylmethoxy, or 1-4C-alkoxy which is completely or predominantly substituted by fluorine,

R9 is -C(O)R10, $-S(O)_2$-R14, $-(CH_2)_n$-C(O)-R18 or -C(O)-$(CH_2)_m$-R21,

R10 is 1-4C-alkyl, -N(R11)R12, phenyl or phenyl substituted by R13,

R11 is hydrogen, 1-4C-alkyl, 3-7C-cycloalkyl or 3-7C-cycloalkylmethyl,

R12 is hydrogen, 1-4C-alkyl, 3-7C-cycloalkyl or 3-7C-cycloalkylmethyl,

or R11 and R12 together and with inclusion of the nitrogen atom to which they are bonded, form a 1-pyrrolidinyl-, 1-piperidinyl-, 1-piperazinyl, 1-(1-4C-alkyl)-piperazin-4-yl-, 1-hexahydroazepinyl-, 4-morpholinyl, 4-thiomorpholinyl-, thiomorpholin-1-oxide-4-yl- or thiomorpholin-1,1-dioxide-4-yl-ring,

R13 is hydroxyl, halogen, nitro, cyano, hydroxycarbonyl, 1-4C-alkyl, trifluoromethyl, 1-4C-alkoxy, 1-4C-alkoxy which is completely or predominantly substituted by fluorine, 1-4C-alkoxycarbonyl, amino, mono- or di-1-4C-

alkylamino, aminocarbonyl, mono- or di-1-4C-alkylaminocarbonyl, 1-4C-alkylcarbonyl, 1-4C-alkylcarbonylamino or 1-4C-alkylcarbonyloxy,

R14 is 1-4C-alkyl, -N(R15)R16, phenyl or phenyl substituted by R17,

R15 is hydrogen, 1-4C-alkyl, 3-7C-cycloalkyl or 3-7C-cycloalkylmethyl,

R16 is hydrogen, 1-4C-alkyl, 3-7C-cycloalkyl or 3-7C-cycloalkylmethyl,

or R15 and R16 together and with inclusion of the nitrogen atom to which they are bonded, form a 1-pyrrolidinyl-, 1-piperidinyl-, 1-piperazinyl, 1-(1-4C-alkyl)-piperazin-4-yl-, 1-hexahydroazepinyl-, 4-morpholinyl, 4-thiomorpholinyl-, thiomorpholin-1-oxide-4-yl- or thiomorpholin-1,1-dioxide-4-yl-ring,

R17 is hydroxyl, halogen, nitro, cyano, carboxyl, 1-4C-alkyl, trifluoromethyl, 1-4C-alkoxy, 1-4C-alkoxy which is completely or predominantly substituted by fluorine, 1-4C-alkoxycarbonyl, amino, mono- or di-1-4C-alkylamino, aminocarbonyl, mono- or di-1-4C-alkylaminocarbonyl, 1-4C-alkylcarbonyl, 1-4C-alkylcarbonylamino or 1-4C-alkylcarbonyloxy,

R18 is -N(R19)R20,

R19 is hydrogen, 1-4C-alkyl, 3-7C-cycloalkyl or 3-7C-cycloalkylmethyl,

R20 is hydrogen, 1-4C-alkyl, 3-7C-cycloalkyl or 3-7C-cycloalkylmethyl,

or R19 and R20 together and with inclusion of the nitrogen atom to which they are bonded, form a 1-pyrrolidinyl-, 1-piperidinyl-, 1-piperazinyl, 1-(1-4C-alkyl)-piperazin-4-yl-, 1-hexahydroazepinyl-, 4-morpholinyl, 4-thiomorpholinyl-, thiomorpholin-1-oxide-4-yl- or thiomorpholin-1,1-dioxide-4-yl-ring,

R21 is -N(R22)R23,

R22 is hydrogen, 1-4C-alkyl, 3-7C-cycloalkyl or 3-7C-cycloalkylmethyl,

R23 is hydrogen, 1-4C-alkyl, 3-7C-cycloalkyl or 3-7C-cycloalkylmethyl,

or R22 and R23 together and with inclusion of the nitrogen atom to which they are bonded, form a 1-pyrrolidinyl-, 1-piperidinyl-, 1-piperazinyl, 1-(1-4C-alkyl)-piperazin-4-yl-, 1-hexahydroazepinyl-, 4-morpholinyl, 4-thiomorpholinyl-, thiomorpholin-1-oxide-4-yl-, thiomorpholin-1,1-dioxide-4-yl- or a pyrrolidin-2,5-dione-1-yl-ring,

n is an integer from 1 to 4,

m is an integer from 1 to 4,

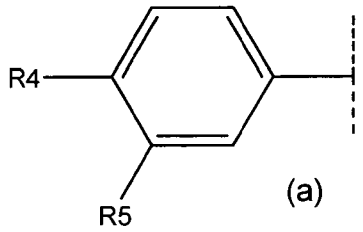
or a salt thereof.

12. (Previously presented) A compound of formula 1 according to claim 1, in which

R1 is 1-4C-alkyl,

R2 is 1-4C-alkyl,

R3 represents a phenyl derivative of formulae (a)



(a)

wherein

R4 is 1-2C-alkoxy or 1-2C-alkoxy which is completely or predominantly substituted by fluorine,

R5 is 1-4C-alkoxy,

R9 is $-S(O)_2-R14$, $-(CH_2)_n-C(O)-R18$ or $-C(O)-(CH_2)_m-R21$,

R14 is phenyl or phenyl substituted by R17,

R17 is halogen, nitro, cyano, 1-4C-alkyl or 1-4C-alkoxy,

R18 is -N(R19)R20,

R19 is hydrogen or 1-4C-alkyl,

R20 is hydrogen or 1-4C-alkyl,

or R19 and R20 together and with inclusion of the nitrogen atom to which they are bonded, form a 1-pyrrolidinyl-, 1-piperidinyl-, 1-piperazinyl, 1-(1-4C-alkyl)-piperazin-4-yl-, 1-hexahydroazepinyl-, 4-morpholinyl or 4-thiomorpholinyl-ring,

R21 is -N(R22)R23,

R22 is hydrogen or 1-4C-alkyl,

R23 is hydrogen or 1-4C-alkyl,

or R22 and R23 together and with inclusion of the nitrogen atom to which they are bonded, form a 1-pyrrolidinyl-, 1-piperidinyl-, 1-piperazinyl, 1-(1-4C-alkyl)-piperazin-4-yl-, 1-hexahydroazepinyl-, 4-morpholinyl, 4-thiomorpholinyl- or a pyrrolidin-2,5-dione-1-yl-ring,

n is an integer from 1 to 4,

m is an integer from 1 to 4,

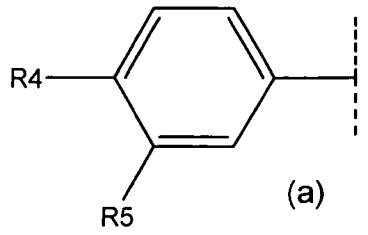
or a salt thereof.

13. (Previously presented) A compound of formula 1 according to claim 1, in which

R1 is methyl,

R2 is methyl,

R3 represents a phenyl derivative of formula (a)



(a)

wherein

R4 is methoxy or ethoxy,

R5 is methoxy or ethoxy,

R9 is $-S(O)_2-R14$, $-(CH_2)_n-C(O)-R18$ or $-C(O)-(CH_2)_m-R21$,

R14 is 2-cyanophenyl,

R18 is amino or 4-morpholinyl,

R21 is pyrrolidin-2,5-dione-1-yl,

n is 1 or 2,

m is 1,

or a salt thereof.

14. (Canceled)

15. (Previously presented) A pharmaceutical composition comprising one or more compounds according to claim 1, or a pharmaceutically acceptable salt thereof, together with a pharmaceutically acceptable auxiliary and/or carrier.

16. (Canceled)

17. - 18. (Canceled)